

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/664,171 Confirmation No.: 3332
Applicant : Michi Garrison et al
Filing Date : 16 September 2003
Title : METHODS AND APPARATUS FOR LOCALIZED AND SEMI-LOCALIZED DRUG DELIVERY
Group Art Unit : 3762
Examiner : not yet assigned
Docket No. : 13854.4002
Customer No. : 34313

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**CORRECTED
INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

Applicant
Appl. No.
Examiner
Docket No.

Michi Garrison et al
10/864,171
Not Yet Assigned
13854.4002

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

Applicant Michi Garrison et al
Appl. No. 10664,171
Examiner Not Yet Assigned
Docket No. 13854.4002

STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

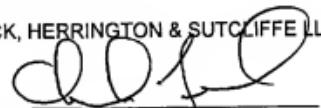
A check in the amount of _____ is enclosed for the above fee(s).

Please charge _____ to Deposit Account No. 15-0665 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP



By:

Charles C. Fowler
Reg. No. 39,675

Dated: May 3, 2000

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Substitute for form 1449A/PTO			Complete if Known	
CORRECTED INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/664,171
			Filing Date	September 16, 2003
			First Named Inventor	Michi Garrison
			Art Unit	3762
			Examiner Name	not yet assigned
Sheet	1	of	1	Attorney Docket Number
13854 4002				

U.S. PATENT DOCUMENTS				
Examiner Initials	Cite No. ¹	U.S. Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (if known)	MM-DD-YYYY	
	1	4573966	03-04-1986	Weikl
	2	4708718	11-24-1987	Daniels
	3	4911163	03-27-1990	Fina
	4	6290672	09-18-2001	Abae
	5	US2002/028031	03-07-2002	Bagaolsan
	6	US2003/0208222	11-06-2003	Zadno

FOREIGN PATENT DOCUMENTS				
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document
		Country ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY	T ⁶
	7	WO98/38930	09-11-1998	Percusurge

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials ⁷	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		

Examiner Signature	Date Considered
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¹EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST 16 if applicable. ⁷Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is given by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete the form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.